

REMARKS

Status of the Claims

The amendments and remarks presented herein place the claims in condition for allowance. Applicants respectfully request reconsideration in view of these amendments and remarks.

Claims 1-80 were pending and have been examined. Claims 1, 21, 41, and 61 have been amended to clarify applicants' claimed invention, and thus neither narrow the claims nor introduce any new matter. Support for at least one cell including an indicator that indicates that a past, unrecorded program is no longer available for viewing can be found at, for example, page 4, lines 6-14; and page 53, lines 6-31 of applicants' specification. Claims 32, 40 and 80 have been amended to correct an inadvertent error in antecedent basis.

Entry of these amendments is respectfully requested.

Rejections Under 35 U.S.C. § 112, First Paragraph

Claims 1, 21, 41 and 61 were rejected under 35 U.S.C. § 112, first paragraph, for allegedly failing to comply with the written description requirement. The Office Action contends that the wording of these claims is to be interpreted such that the user is only allowed to scroll the list of program listing backwards in time when there are unrecorded and recorded programs indicated in the list. (Office Action at page

3.) Applicants traverse, and also disagree with this interpretation.

Nonetheless, and solely to advance this case to allowance, applicants have amended claims 1, 21, 41 and 61 to make clear that a listing of recorded and unrecorded programs is not required for the user to be allowed to scroll the list backwards. For at least this reason, applicants request reconsideration and withdrawal of this rejection.

Rejections Under 35 U.S.C. § 103

Claims 1, 3, 5-8, 10, 12, 16, 21, 23, 25-28, 30, 32, 36, 41, 43, 45-48, 50, 52, 56, 61, 63, 65-68, 70, 72 and 76 were rejected as being allegedly unpatentable under 35 U.S.C. § 103(a) over Young (U.S. patent application publication no. 2003/0142957) in view of Schein (U.S. Patent 6,151,059). Claims 2, 11, 22, 31, 42, 51, 62 and 71 were rejected as being allegedly unpatentable under 35 U.S.C. § 103(a) over Young in view of Schein and in further view of Roth (U.S. patent application publication no. 2003/0167471). Claims 4, 24, 44 and 64 were rejected as being allegedly unpatentable under 35 U.S.C. § 103(a) over Young in view of Schein and in further view of Boyle (U.S. patent application publication no. 2005/0002649). Claims 9, 29, 49 and 69 were rejected as being allegedly unpatentable under 35 U.S.C. § 103(a) over Young in view of Schein and in further view of Arsenault (U.S. Patent 6,701,528). Claims 13, 33, 53 and 73 were rejected as being allegedly unpatentable under 35 U.S.C. § 103(a) over Young in

view of Schein and in further view of Javed (U.S. patent application publication no. 2002/0162112). Claims 14, 34, 54 and 74 were rejected as being allegedly unpatentable under 35 U.S.C. § 103(a) over Young in view of Schein and in further view of Proehl (U.S. Patent 6,532,589). Claims 15, 35, 55 and 75 were rejected as being allegedly unpatentable under 35 U.S.C. § 103(a) over Young in view of Schein and in further view of Proehl and Yoshinobu (U.S. Patent 5,734,444). Claims 17, 19, 37, 39, 57, 59, 77 and 79 were rejected as being allegedly unpatentable under 35 U.S.C. § 103(a) over B Young in view of Schein and in further view of Ismail (U.S. Patent 6,614,987). Claims 18, 38, 58, and 78 were rejected as being allegedly unpatentable under 35 U.S.C. § 103(a) over Young in view of Schein and in further view of Proehl and Ismail. Claims 20, 40, 60 and 80-85 were rejected as being allegedly unpatentable under 35 U.S.C. § 103(a) over Young in view of Schein and in further view of Allport (U.S. Patent 6,483,548).

Applicants respectfully traverse these rejections.

Independent Claims 1, 21, 41 and 61

Independent claims 1, 21, 41 and 61 were rejected under 35 U.S.C. § 103(a) over Young in view of Schein. Applicants traverse.

Applicants' claimed invention is directed to providing a user with program information using an interactive television program application implemented at least partially on user equipment. A list of program listings is displayed in

a grid format, and the user is allowed to scroll the list backwards in time. When the list is scrolled backwards in time, the displayed list includes at least one listing of a past, previously recorded program that is available for viewing by the user. The displayed list also includes at least one cell in the grid corresponding to a listing of a past, unrecorded program. Cells corresponding to the past, unrecorded programs include an indicator that indicates that the past, unrecorded programs are no longer available for viewing by the user.

The Office Action contends that the combination of Young and Schein discloses all of the features of applicants' invention. However, applicants disagree with this contention, and instead submit that the claimed invention includes at least certain additional features that patentably improve upon Young and Schein.

In particular, applicants submit that their claimed invention improves upon Young and Schein by having an indicator included in cells that correspond to past, unrecorded programs no longer available for viewing by the user. For example, as shown in FIG. 25 of applicants' specification, the cells corresponding to past, unrecorded programs that are no longer available for viewing (e.g., channels 2, 4 and 7 at 8:30 PM) are indicated by including an empty cell as an indicator of this status. As disclosed in applicants' specification, other suitable visual indicators may be used to indicate that such past, unrecorded programs are no longer available for viewing. As a result of having this indicator included in such cells, the user can identify which of the past, unrecorded programs

listings have this particular status, thereby distinguishing such cells from other program listings.

The Office Action contends that in the purported combination of Young and Schein, Young discloses this particular feature of applicants' invention. The Office Action states that, in Young, "unrecorded programs do not contain any type of outlining or highlighting, and therefore indicates to the user that they are not recorded and since the broadcast of the program has passed, they are not available for viewing." (Office Action at page 5; emphasis added.)

Applicants submit that this supposed teaching of Young does not correspond to applicants' claimed indicator. Instead, as made clear by this statement from the Office Action, Young refers only to the absence of any such indicators, such as "outlining or highlighting." Thus, at best, a user of the purported combination of Young and Schein can only infer that a past, unrecorded program is unavailable for viewing - there is no actual indicator of this status. Moreover, because Young and Schein lack an actual indicator, cells corresponding to such past, unavailable and unrecorded programs are indistinguishable from other listings.

In contrast, the required indicator of applicants' invention improves upon Young and Schein by providing an actual indicator that is indicative of this status. Furthermore, this indicator also allows a user to distinguish such unavailable, unrecorded past programs from other programs.

Therefore, because Young and Schein do not disclose all of the features of the claimed invention, applicants submit that claims 1, 21, 41 and 61 are not rendered unpatentable by Young and Schein. For at least this reason, reconsideration and withdrawal of this rejection is respectfully requested.

Dependent Claims 2-20, 22-40, 42-60, and 62-84

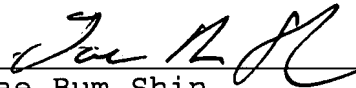
The rejections of claims 2-20, 22-40, 42-60, and 62-80 under 35 U.S.C. § 103(a) are all predicated on the same alleged disclosures in Young and Schein as relied on for the rejection of claims 1, 21, 41 and 61. Moreover, none of the additional cited documents would have remedied the deficiencies, as discussed above, of Young and Schein.

Therefore, applicants submit that claims 2-20, 22-40, 42-60 and 62-85 are also patentable for at least the reasons that their respective independent claims are patentable. However, applicants expressly reserve their right to argue the patentability of any dependent claim, or any other feature not discussed herein, in a future proceeding.

Conclusion

Applicants respectfully submit that all of the pending claims are in form for allowance. If the Examiner believes, however, that any matters remain outstanding, applicants respectfully request that the Examiner call the undersigned.

Respectfully submitted,



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